

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JANUARY 9, 2008**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: RQR-25210 - APPLICANT: LAMAR OUTDOOR  
ADVERTISING - OWNER: JOOJ INVESTMENT, LLC**

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**\*\* CONDITIONS \*\***

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

**Planning and Development**

1. This Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Required Two Year Review of an approved Special Use Permit (SUP-4693) which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 6431 West Charleston Boulevard.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
11/01/95	The City Council approved an application for Rezoning to the site to C-1 (Limited Commercial). The Planning Commission and staff recommended approval of the application.
03/16/05 *	The City Council granted the Appeal from the Denial on the application for a Special Use Permit (SUP-4693) for an Off-Premise Advertising (Billboard) Sign at 6431 West Charleston. Staff recommended approval.
10/04/06	The City Council approved a request for a Special Use Permit (SUP-15404) for a proposed Financial Institution, Specified and a waiver of the 1,000-foot distance separation requirement from another Financial Institutions, Specified at 6433 West Charleston Blvd. The Planning Commission and staff recommended approval.
12/06/07	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #8/ng).
<b><i>Related Building Permits/Business Licenses</i></b>	
11/08/05	A building permit (#5007776) was issued for the subject Off-Premise Advertising (Billboard) Sign. A final inspection was conducted and the project was completed on 03/28/07.
<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting is not required, nor was one held.	
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required, nor was one held.	
<b><i>Field Check</i></b>	
11/02/07	A site inspection was conducted and photographs were taken. The billboard was found to be in good condition and in conformance to conditions.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	0.79

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Shops	SC (Service Commercial)	C-1 (Limited Commercial)
North	Offices Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
South	Convalescent Care Facility	SC (Service Commercial)	C-1 (Limited Commercial)
East	Retail	SC (Service Commercial)	C-1 (Limited Commercial)
West	Car Wash	SC (Service Commercial)	C-1 (Limited Commercial)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>		X	N/A
<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>		X	N/A
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

## DEVELOPMENT STANDARDS

<b>Standards</b>	<b>Code Requirement</b>	<b>Provided</b>	<b>Compliance</b>
Location	No Off-Premise Advertising (Billboard) Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Not Located within the Exclusionary Zone	Y
Zoning	Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a C-1 (Limited Commercial) zoning district	Y

Area	No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	672 SF	Y
Height	No higher than 40 feet from grade at the point of construction	Maximum height of 40 feet from grade	Y
Screening	All structural elements of an Off-Premise Advertising (Billboard) Sign to which the display panels are attached shall be screened from view.	Screened	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to another Off Premise Sign	413 feet to another Off Premise Sign	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	385 feet from "R" zoned property to the west.	Y
Other	All Off-Premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; located on strictly commercial property	Y

## ANALYSIS

This is the first review of the subject Off-Premise Advertising (Billboard) Sign. The sign is located Charleston Boulevard, a 100-Foot Primary Arterial. Upon a site inspection conducted on 11/02/07 the Off-Premise Advertising (Billboard) Sign was found to be in good condition and in compliance with conditions of approval. The continued use of an Off-Premise Advertising (Billboard) Sign at this location does not currently pose a hazard to the subject property or the surrounding area. Approval of this request is recommended with an additional review in three years.

## FINDINGS

The following findings must be made for a Special Use Permit:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The Off-Premise Advertising (Billboard) Sign is harmonious and compatible with existing and surrounding uses.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The subject site is physically suitable for the Off-Premise Advertising (Billboard) Sign.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

The Off-Premise Advertising (Billboard) Sign does not affect the access to the subject property.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

The Off-Premise Advertising (Billboard) Sign does not compromise the public health, safety, or welfare and is in compliance with the General Plan.

5. **The use meets all of the applicable conditions per Title 19.04.**

The Off-Premise Advertising (Billboard) Sign is in compliance with Title 19.04.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 13

**ASSEMBLY DISTRICT** 3

**SENATE DISTRICT** 3

**NOTICES MAILED** 84 by Planning Department

**APPROVALS** 0

**PROTESTS** 0